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IN THE DISTRICT COURT OF THE UNITED
STATES FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

MARK Shannon Wheeler, #139044)
Plaintiff,)

v.)

Bill Segrest, et al.)
Defendant)

Civil Action No. 2:06-CV-274-MHT

Motion For permission of Court by Plaintiff to move For declaratory
Judgment, Motion for appointment of Counsel because of Complexities
"Amendment to Complaint" - Incompliance with Federal Rules of Civil proc. Rule 15(a)

Comes now the plaintiff MARK Shannon Wheeler in this the
District Court of The United States for the middle District of AL-
ABAMA Northern Division, and Prays that this Honorable Court will
GRANT this Motions: Motion for permission of Court by Plaintiff
to move for declaratory Judgment, Motion for Appointment of Coun-
cel because of Complexities.

Plaintiff Wheeler shows grounds of Claim in Which relief is
due to be granted:

- 1). Plaintiff Wheeler plainly has proven in this said Honorable
Court that he has been deprived of his Constitutional Rights,
and Privileges, and even immunities which support Plaintiff
Wheeler's Claims for relief under 42 U.S.C. 1983.
- 2). Section 43 of the Alabama Constitution does not supersede to
infiltrate the United States Constitution, even though some of
the Alabamians that would be protected by different immunities
claim they do No wrong doing (always), then Continue to violate
minorities Civil Constitutional Rights. By law, Plaintiff Wheeler
is a minority being a convicted felon in Alabama, and indigent.
- 3). Defendant Bill Segrest, et al, is in violation of his discretionary
Acts, by exceeding his authority, causing him to be void of
Absolute immunity by violating Plaintiff Wheeler's Civil United
States Constitutional Rights (8th, 14th, 9th, 1st,) Cruel and unusual
Punishment being inflicted, Equal Protection for Equal Consideration,
disparaging Wheeler's rights (9th) and 1st Amendment "redress" clause.
Defendant Bill Segrest, et al in his proffessional and Individual Capacity,
is not protected by his negligence, Capricious and arbitrary Actions to
be protected by Qualified immunity, as Defendant Segrest et al,
has violated Federal United States Constitutional laws clearly Est-
ablished, Providing Plaintiff Wheeler Protection by this Honorable
Said Court in obtaining relief by claims well grounded in support.
Plaintiff Wheeler is due favorable Declaratory Judgment in support
iance with Fed. R. Civ. Proc. Rule 57, and Prays for the Granting of this entire
Amended Complaint. I here, the Plaintiff State the Defend Bill Segrest et al,

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cont: even under Color of STATE LAW, Code of AL. 1975
Title 15-22-40 "Authority of Board" (in which Defendant Bill Segrest et al, is Executive Director which must approve "All" governing Policies), states: it is without question that this section prohibits the BOARD OF PARDONS AND PAROLES from "exceeding its strictly limited authority". UNITED STATES v. SWANSON, 753 F. Supp. 338 (N.D. Ala. 1990), Aff'd, 947 F.2d 914 (11th Cir. 1991.). Plaintiff Wheeler positively awaits relief, and invokes this Courts Jurisdiction. I hereby swear this to be true and correct to the best of my knowledge and understanding under Penalty of perjury, this the 2nd day of June, 2006. Mark Shannon Wheeler 139044
Mark Shannon Wheeler Plaintiff Pro Se.

Certificates of Service

I the Plaintiff MARK Shannon Wheeler hereby Certify that I have mailed a copy of the same by 1st class Postage Pre Paid mail, so that these Pleadings have been (Served) sent to the lawyer for the defendant Bill Segrest, et al, at:

Alabama Board of Pardons and Paroles
"Legal Division - General Counsel"
For Executive Director Bill Segrest et al
P.O. BOX 302405
Montgomery, AL 36130

Done this the 2nd day of June, 2006.

Mark Shannon Wheeler
Mark Shannon Wheeler 139044
Plaintiff Pro Se

cc:
U.S. Middle District Court -
Northern Division, Hon. M.H.T.

Legal Division - General Counsel -
Board of Pardons and Paroles - Defendant

Mark Shannon Wheeler, Plaintiff.

Mark S. Wheeler
Ais # 139044, K-125
Kilby Corr. Fac.
P.O. BOX 150
MT. MEIGS, AL 36057

Copies retained